

REMARKS

The present application has been reviewed in light of the Office Action dated October 2, 2003. Claims 1, 3, 5-7, 9-14, and 16-19 are presented for examination, of which Claims 1, 3, 5, 12, and 18 are in independent form. Claims 1, 3, 5-7, 9-14, 16, 18, and 19 have been amended as to formal matters and/or to define Applicants' invention more clearly. Favorable reconsideration is requested.

The Office Action states that Claims 1, 3, 5-7, 9-14, and 16-19 are rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 6,330,022 (Seligmann) in view of U.S. Patent No. 6,025,870 (Hardy). Applicants respectfully traverse the rejections and submit that independent Claims 1, 3, 5, 12, and 18, together with the claims dependent therefrom, are patentably distinct from the cited prior art for at least the following reasons.

An aspect of the present invention set forth in Claim 1 is directed to a control method for a home office system that includes user terminal devices each of which includes a display device. According to the method, a virtual space is provided on a display device for each user of the user terminal devices. A physical condition of a user is monitored, and a display of virtual space of the user is automatically changed on each display device to a display of a virtual space for rest when it is determined that the user should take a rest, based on a result of monitoring the user's physical condition. This allows the user to informally communicate with other users present in a common virtual space for rest.

One of the notable features of Claim 1 is that the displayed virtual space of the user is automatically changed based on the physical condition of the user.

Seligmann and Hardy both relate to video conferencing systems. In the Office Action, it is conceded that Seligmann does not disclose the control feature of Claim 1, and it is alleged that a video switch 30 disclosed in Hardy remedies this deficiency of Seligmann.

Applicants submit that a combination of Seligmann and Hardy, assuming such combination would even be permissible, would fail to teach or suggest a control method for a home office system, wherein the method includes "a monitoring step, of monitoring a physical condition of a user," and "a control step, of automatically changing on each display device a display of a virtual space of the user to a display of a virtual space for rest when the user determines that the user should take a rest, based on a result in said monitoring step, so that the user may informally communicate with other users present in a common virtual space for rest," as recited in Claim 1.

The Office Action states, on page 4 at lines 18-19, that "the event information provided by a notification allows the videoconferencing system to determine when the switching should occur." Applicants respectfully submit, however, that Hardy does not teach or suggest what constitutes the event information provided by the notification. In the Hardy system, as understood by Applicants, even if a user is not in the state in which the user should take a rest, there nevertheless is a danger that content displayed on a monitor of the Hardy system is changed to display a virtual space for rest. In the method of Claim 1, the danger posed by the Hardy system does not occur, because the physical condition of the user is taken into account. Neither Hardy nor Seligmann is seen to show or suggest such a feature.

Accordingly, Applicants submit that Claim 1 is patentable over the cited art,

and respectfully request withdrawal of the rejection under 35 U.S.C. § 103(a). Independent Claims 3, 5, 12, and 18 include a feature similar to that discussed above, in which a physical condition of a user is monitored and a displayed virtual space is changed based on a result of the monitoring. Therefore, those claims also are believed to be patentable for at least the above reasons.

The other rejected claims in this application depend from one or another of the independent claims discussed above, and therefore are submitted to be patentable for at least the same reasons. Since each dependent claim is also deemed to define an additional aspect of the invention, individual reconsideration of the patentability of each claim on its own merits is respectfully requested.

The present Amendment After Final Action is believed clearly to place this application in condition for allowance. Therefore, entry of this Amendment is believed proper under 37 C.F.R. § 1.116 and is respectfully requested, as an earnest effort to advance prosecution and reduce the number of issues. Should the Examiner believe that issues remain outstanding, it is respectfully requested that the Examiner contact Applicants' undersigned attorney in an effort to resolve such issues and advance the case to issue.

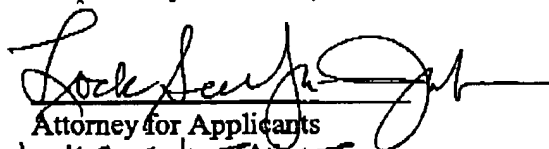
In view of the foregoing amendments and remarks, Applicants respectfully request favorable reconsideration and early passage to issue of the present application.

No petition to extend the time for response to the Office Action is deemed necessary for the present Amendment. If, however, such a petition is required to make this Amendment timely filed, then this paper should be considered such a petition and the

Commissioner is authorized to charge the requisite petition fee to Deposit Account 06-1205.

Applicants' undersigned attorney may be reached in our New York Office by telephone at (212) 218-2100. All correspondence should continue to be directed to our address listed below.

Respectfully submitted,

  
Attorney for Applicants  
Lock See Yu-JAMES  
Registration No. 38,667

FITZPATRICK, CELLA, HARPER & SCINTO  
30 Rockefeller Plaza  
New York, New York 10112-3801  
Facsimile: (212) 218-2200

NY\_MAIN 381883v1